

Application No. 09/454,755  
Office Action dated 7/27/04  
Preliminary Amendment

### REMARKS

Claims 1, 2, 4-11, 13-20 and 22-30 are pending. By this Preliminary Amendment, Claims 1-2, 4, 10-11, 13, 19-20, 22, 25 and 28-30 are amended, thereby leaving Claims 5-9, 14-18, 23-24 and 26-27 unchanged.

Claims 1-2, 6-11, 15-18 and 28-30 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,926,185 ("Vyncke et al."). Claims 19-20 and 24-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Vyncke et al.

The Examiner relies on the disclosure of Vyncke et al. in Column 5, Lines 25-28 and Lines 39-41 to reject certain portions of the claims. More particularly, the Examiner points out that this disclosure cites "By merging the two objects together to create a single object with multiple attributes, the file is optimized and editability is improved" and "To merge the two objects, the stroke is transferred to the back object and the top stroked object is deleted". These two citations identified by the Examiner are located in the section entitled "Remove Double Contours" and it is apparent in the art and from the disclosure in this section that the "merging" disclosed in the section entitled "Remove Double Contours" of Vyncke et al. is limited to the merging of a stroke and a fill. No other types of objects are disclosed in the section "Remove Double Contours".

Amended independent Claim 1 recites wherein said generating means generates said new objects from a translucent source object and other source objects located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object. Vyncke et al. does not teach or suggest a translucent source object and therefore cannot disclose generating new objects from a translucent source object and other source objects.

Amended independent Claims 10 and 19 recite wherein said generation step generates said new objects from a translucent source object and other source objects located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object. As indicated above, Vyncke et al. does not teach or suggest a translucent source object and therefore cannot disclose generating new objects from a translucent source object and other source objects.

Amended independent Claim 28 recites wherein said generating means generates said new objects from a translucent source object and other source objects not translucent and located

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at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source objects. Vyncke et al. does not teach or suggest a translucent source object and therefore cannot disclose generating new objects from a translucent source object and other source objects.

Amended independent Claims 29 and 30 recite wherein said generation step generates said new objects from a translucent source object and other source objects not translucent and located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object. As indicated above, Vyncke et al. does not teach or suggest a translucent source object and therefore cannot disclose generating new objects from a translucent source object and other source objects.

For these and other reasons, amended independent Claims 1, 10, 19 and 28-30 define over Vyncke et al. and are allowable. Dependent Claims 2, 4-9, 11, 13-18, 20 and 22-27 respectively depend from independent Claims 1, 10 and 19 and are allowable for the same and other reasons.

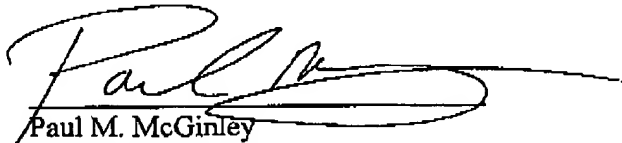
### CONCLUSION

In view of the foregoing, entry of the present Preliminary Amendment and allowance of the claims are respectfully requested.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

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